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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 LORENZO SANTIAGO SALAS,

10 Plaintiff,

11 v.

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13 PPG ARCHITECTURAL FINISHES, INC., a  
14 Delaware Corporation, HOFAX PRODUCTS,  
15 INC., a Washington Corporation, JOHN  
16 DOES 1-4,

Defendants.

Case No. C17-1787RSM

ORDER GRANTING PLAINTIFF'S  
MOTION FOR LEAVE TO FILE  
AMENDED COMPLAINT AND  
EXTENDING DEADLINES

17 This matter comes before the Court on Plaintiff Lorenzo Santiago Salas' Motion for  
18 Leave to File Amended Complaint. Dkt. #14. Plaintiff moves the Court for leave to amend his  
19 Complaint to add a defendant, to correct a scrivener's error, and to edit the legal claims. *Id.*  
20 Plaintiff also requests the Court extend the deadlines for joining additional parties and  
21 amending the pleadings to June 1, 2018. *Id.* No opposition has been filed by Defendants.  
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23 Pursuant to Fed. R. Civ. P. 15(a)(2), a "court should freely give leave [to amend] when  
24 justice so requires," Fed. R. Civ. P. 15(a)(2). Courts apply this policy with "extreme  
25 liberality." *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003). Five  
26 factors are commonly used to assess the propriety of granting leave to amend: (1) bad faith, (2)  
27 undue delay, (3) prejudice to the opposing party, (4) futility of amendment, and (5) whether  
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ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE TO FILE AMENDED  
COMPLAINT AND EXTENDING DEADLINES - 1

1 plaintiff has previously amended the complaint. *Allen v. City of Beverly Hills*, 911 F.2d 367,  
2 373 (9th Cir. 1990); *Foman v. Davis*, 371 U.S. 178, 182 (1962). In conducting this five-factor  
3 analysis, the court must grant all inferences in favor of allowing amendment. *Griggs v. Pace*  
4 *Am. Group, Inc.*, 170 F.3d 877, 880 (9th Cir. 1999). In addition, the court must be mindful of  
5 the fact that, for each of these factors, the party opposing amendment has the burden of  
6 showing that amendment is not warranted. *DCD Programs, Ltd. v. Leighton*, 833 F.2d 183,  
7 187 (9th Cir. 1987); *see also Richardson v. United States*, 841 F.2d 993, 999 (9th Cir. 1988).


9 A scheduling order “may be modified only for good cause and with the judge’s  
10 consent.” Fed. R. Civ. P. 16(b)(4). “Rule 16(b)’s ‘good cause’ standard primarily considers  
11 the diligence of the party seeking amendment.” *Johnson v. Mammoth Recreations, Inc.*, 975  
12 F.2d 604, 609 (9th Cir. 1992); *see also In re Western States Wholesale Natural Gas Antitrust*  
13 *Litigation*, 715 F.3d 716, 737 (9th Cir. 2013).

15 The Court finds that good cause exists for granting the requested relief given the  
16 procedural posture of this case and Plaintiff’s diligent efforts to determine through discovery  
17 the proper parties to be joined. There is no reason to believe Defendants will be prejudiced by  
18 this amendment or the extension of deadlines.

20 Having reviewed the relevant briefing, the declarations and exhibits attached thereto,  
21 and the remainder of the record, the Court hereby finds and ORDERS:

- 22 1) Plaintiff Salas’ Motion for Leave to Amend Complaint (Dkt. #14) is GRANTED.
- 23 2) Plaintiff shall file his Proposed Amended Complaint, Dkt. #14-2, and serve it on  
24 Defendants **within fourteen (14) days of this Order.**
- 25 3) The deadline for joining additional parties is extended to June 1, 2018.
- 26 4) The deadline for amending pleadings is extended to June 1, 2018.
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2 DATED this 2 day of May, 2018.  
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6 RICARDO S. MARTINEZ  
7 CHIEF UNITED STATES DISTRICT JUDGE  
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